

CALL FOR HUMANITY: THE LIVING NEED FOR THE POLICY REGULATION IN COUNTRIES' NON-SIGNATORY TO UNITED NATIONS CONVENTION OF REFUGEES

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ABSTRACT

Background: Non-Signatory State, which means a State irrespective of its respect for refugee law, has neither ratified the convention nor the 1967 Protocol. The humanitarian approach of offering sanctuary to frightened strangers and the victims of persecution and violence has become not only an existing reality but also has acquired the status of international tradition. **Objective:** This article was written with the basic motive of exploring the perspective of young Syrians who are taking education in Malaysia about the policies of the country, which is non-signatory to UN refugee convention. Their perspective involves their views and suggestions regarding the policy modification and the need to change or implement the policy for the betterment of the host country.

Materials and Methods: Focus group discussions were carried out with postgraduate students of Public University in Malaysia who came after a war to Malaysia. A set of nine questions were used to investigate the topic under discussion with six participants in each focus group. A single sitting of focus group lasts for one hour and the session was recorded with the permission of participants.

Results: Thematic analysis was done using Clarke and Braun technique to analyze the contents of the discussion. The results generate very important themes related to the topic investigated which include, right to get a higher education, right to work, right to register (as legal immigrants), economically strong induction, and a sense of gratitude.

Conclusion: This study concludes that if a country after re-examining its immigration laws to the best of their interest modifies the laws for unexpected guests who are coming to take shelter in their country, not only on a humanitarian basis but to integrate with them for their own benefit. This will help the host nation in multiple ways including less burden to the economy, less dependency on the aid money, less crime, and fewer difficulties for the host country lawmakers to provide food, shelter, and work opportunities for those who are in dire need.

Keywords: Non-signatory status, immigration laws, Syrian refugees, policy regulation, reduced dependency

INTRODUCTION

The 1951 Convention relating to the Status of Refugees and the 1967 Protocol relating to the Status of Refugees (the 1951 Refugee Convention) are the two primary international legal policies that provide for the protection of the world's refugees. According to this protocol, refugees around the world are entitled to certain rights at the host destination which is a signatory to these protocols [1].

According to the United Nations High Commission of Refugees (UNHCR), a refugee is defined as, "someone who is not willing and not able to return to his/her country of origin along with a well-substantiated fear of being mistreated on the basis of religion, race, nationality, membership of a particular social group or holding a particular political opinion." [2].

There are 149 states around the world that are signatory to the UN 1951 refugee convention and its 1967 Protocol. These states have defined the term refugee and modified their immigration laws and outlined the rights of refugees along with the legal obligations of the state to protect the refugees [3].

It has become a humanitarian tradition around the world to provide shelter to unexpected and sudden guests from any country under war or any other disturbing situation as the violence has become an existing reality [4].

The Syrian crisis has become the largest producer of refugees since 2011. And many Syrians are forced to enter those countries which are non-signatory to the UN refugee convention. So it is very important to redefine the laws and provide enough rights at least on a humanitarian basis [5].

This paper intended to explore the perspective of young Syrian university students residing in Malaysia regarding the policies of the state which is non-signatory to the UN convention of refugees. It explored their ideas to not be a burden on the host state despite their status of non-signatory to the convention. It has been also discussed that the policy modification will help and boost the economy of the host state in times of emergency too.

METHODOLOGY

For the purpose of this research, two public universities of Malaysia have been recruited on the basis of the number of students taking admissions to the specific universities. Universiti Sains Malaysia (USM) and Islamic International University Malaysia (IIUM) have been selected for the current study. Qualitative research methodology has been used to collect the data, two focus group discussions (FGDs) were carried out with 8 participants in each group. Each FGD contains 9 questions in total to be asked from the participants. The session was lasted for one and a half hours and was recorded with the permission of the participants. The collected information was then analyzed using Clark and Braun thematic analysis.

RESULTS

The major concerns of the participants of this study have been shown below in the form of a master table of emerging themes. The table shows the main codes, categories, and themes from the study data.

Table 1: Code, Categories, and Themes, drawn from the Data

Code	Categories	Themes
Lack of provision of basic rights to work, getting a visa, shelter, opening of a bank account in Malaysia.	Provision of basic rights	Main hurdles faced by Syrians residing in Malaysia.
The government should re-think and modify the existing policies regarding work, bank account opening, visa providing policies.	Modification of existing immigration policies	Need for modification of existing policies to overcome the hurdles faced by Syrians in Malaysia.
With the provision of certain facilities, it will lower the burden of unexpected guests of the host nation by working and contributing to the host community	Differential impact of Syrians in Malaysia	The main differences Syrians could make if provided with certain rights and facilities.
Considering Malaysia a loving, safe, not so religious, peaceful, no racism, affordable, good education, beautiful place	Living/Life in Malaysia	The perspective of Syrian students regarding life in Malaysia
Syrian students not hoping to get a fine job, or stay in Malaysia, most of them think of going to some other place to get a suitable job in the future.	Future expectations of Syrian students in Malaysia	Expectations to not stay for long in Malaysia due to tough policies regarding work and stay.
Syrians in Malaysia want the Malaysian government to join UNHCR, re-think the provision of certain facilities to people in distress	Needs/Demands of Syrians living in Malaysia	Expectations to not stay for long in Malaysia due to tough policies regarding work and stay.
Syrians are of the perspective of being highly indebted, obliged for the love of the Malaysian community for Syrians. Their humanitarian response will be held high all the life.	Malaysian Education System	The perspective of Syrian students about the education system of Malaysia.
Syrians are of the perspective of being highly indebted, obliged for the love of the Malaysian community for Syrians. Their humanitarian response will be held high all the life.	Message for Malaysian community from Syrians	Syrians are being grateful toward the welcoming attitude of Malaysians during their stay in Malaysia and are considering Malaysia their second home and ready to do anything for Malaysian people.
While granting entry to the people from war zones, any state should have some policies related to staying, work, education, health, etc so that the incoming people should not be a burden to the hosts.	Main policies of the State welcoming war-stricken individuals	Change of policies after observing the problems faced by people coming from war zones of the world in accordance with the state laws.

The overall findings of the focus groups have suggested multiple issues of interest for the Syrians residing in Malaysia to modify certain rules and laws and also their productive induction in the Malaysian community. The generated themes from the discussion showed a very positive attitude of Syrians towards Malaysians as a whole.

DISCUSSION

A limited number of themes have been generated from this focus group but at the same time, it has offered a useful starting point and insights into the participants' perceptions and future expectations about their stay in Malaysia and the need to revise the policies for the unexpected guests with a war background. The results are suggestive for the provision of basic rights (i.e., jobs, immigration, etc.), re-think on the non-signatory policy of the State, special consideration for individuals coming from a war zone, integrating educated and skilled workers into the Malaysian community to reduce the burden on host economy, despite having positive satisfaction with living in Malaysia. Specifically there was:

1. An element of expectation that the government of Malaysia should re-think the policies regarding visas, jobs, and immigration for the newcomers, especially from war zones.

2. Significant gratefulness of the Syrian population for all the Malaysians while living here for their hospitable and accepting behavior.
3. Some suggestions for the Education system in Malaysia to review the policies for the students coming from war zones to get settled peacefully and offer some special discounts at the start.
4. Strong suggestions for modification of policies for unexpected guests based on their background.

CONCLUSION

To conclude this study, it is strongly suggested based on the perspective of the participants of focus group discussion that, whether any country is signatory or non-signatory to UN Convention for refugees; it would still receive the individuals coming from any war struck or distressed zone of the world. Because people in any distressing situation just move to peaceful zones regardless of the fact that they search at that time that where they are moving, will that country allow it or not? Or will that country hold them or not? They just move in with the expectations in the mind that they will be welcomed based on their background and they will be empathized by the hosts. So, the countries who are non-signatories to UN Convention of refugees should re-think over the policies or be part of signatory states, because by this they not only built a proper setup and

environment for the people coming to their country but also receive funding from multiple organizations around the world to cope up with the situations. Such policy changes and modifications will reduce the burden from their economies and make the procedure of settlements easier and streamline for both sides.

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